

DELEGATED APPLICATION REPORT

Address: 23 Beverley Road, Reading

Application No: 181658/NMA

Proposal: Non-material amendments to planning permission 180890 (part two/part single storey rear extension following demolition of conservatory), to increase the width of the first floor elevation

Target Decision date: 18/10/2017

Case officer: Ethne Humphreys

Site Description and Surrounding Area

The application property is a two storey semi-detached dwelling located on the eastern side of Beverley Road, at the end of the cul-de-sac. It features a rear conservatory and outbuilding in the rear garden.

The surrounding area is predominantly residential with properties of varying designs and styles, many of which have been extended.

The Proposal

Non-material amendment to planning permission 180890 granted on 17/07/2018 is proposed. More specifically, it is proposed to increase the width of the first floor elevation from 4.3m to 4.7m.

Consultations

Applications under S96A are not applications for planning permission, so are not covered by the publicity requirements as set out in the DMPO.

Plans Considered

The Council, in reaching its recommendation, has taken into consideration the following documents:

Approved plans at time of application 180890

Drawing No: Location Plan

Received 1st June 2018

Drawing No: Proposed Elevations and Floor Plans and Block Plan 001

Received 28th June 2018

Proposed plans as part of this application

Drawing No: Rear two storey extension 001

Received 20th September 2018

Relevant Planning History

180890/HOU - Part two/part single storey rear extension following demolition of conservatory.

Permitted 17/07/2018

010245 Porch and two storey side extension. Permitted

Equality Act 2010:

In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. However, there is no indication or evidence (including from consultation on the application) that the protected groups identified by the Act have or will have different needs, experiences, issues and priorities in relation to this particular planning application. Therefore in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

Relevant Policies

The proposed amendments are assessed for materiality - not on the basis of their planning merits. Planning policies therefore do not apply.

Appraisal

Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

The judgement as to whether something is 'material' has to be made on a case-by-case basis, i.e. what is non-material in one case may be material in another.

According to the Councils procedures, applications for minor amendments will only be accepted if:

- The request for an amendment relates to a permission that is still capable of implementation.
- The change does not alter the description of the proposal.
- The 'red line' identifying the application site has not increased
- The change is not contrary to a condition attached to the planning permission.

When judging whether the change is 'minor', the following criteria will be used:

- There is no material increase in any overall dimension of the building/structure.
- There is no harm caused through the reduction in any dimension of the building/structure.
- The adjustment of the siting/design of the building/structure will not give rise to any planning consequences.
- Re-organisation of windows would not result in any additional overlooking.
- Additional windows may be subject to conditions in order to preserve neighbour privacy.

The description of the proposal would not be changed, nor would the red line denoting the application site boundary. The works would not be contrary to a planning condition.

The proposed increase in the width of the first floor elevation would be minimal in the context of the permitted scheme and it is not considered that the amendment would have any material impact on the overall design idiom or neighbour amenities. This is primarily owing to the context of the overall approved scheme and the nature of the surrounding context, with the proposed change being of a relatively minor scale and nature in this context.

An informative is recommended which states that this permission relates only to the change highlighted on the plans. Furthermore it shall only be read in the context of the substantive full permission, and is bound by all the conditions and obligations attached to that permission. A further informative is recommended which states: In reaching this decision, the local planning authority is satisfied that the changes proposed by this application do not constitute material changes to the approved planning permission.

Conclusion

The local planning authority is satisfied that the change proposed by this application does not constitute a material change to the approved planning permission.

Recommendation

Grant Non-material amendment

1. Conditions:

1. The drawing hereby approved as a Non-Material Amendment to original planning permission 180890, as granted on 17/07/2018, is as follows:

Drawing No: Rear two storey extension 001

Received 20th September 2018

Reason: To clarify which plan is approved.

Informatives:

This permission relates only to the non-material amendments sought and described above and highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission granted on 17/07/18 under reference number 180890, and is bound by all the conditions and obligations attached to that permission. That permission still stands and this notice (and any other notices issued under section 96a for this development) should be read together.

In reaching this decision, the local planning authority is satisfied that the change proposed by this application does not constitute a material change to the approved planning permission.

The Local Planning Authority has worked positively and proactively with the applicant to determine under the non-material amendment procedure within the recommended timeframes.